

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	X	USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 10/4/2023
NOVARTIS INTERNATIONAL PHARMACEUTICAL AG,	:	
	:	
	:	1:20-cv-400-GHW
Plaintiff,	:	
	:	<u>ORDER</u>
-against-	:	
	:	
INCYTE CORPORATION,	:	
	:	
Defendant.	:	
	:	
-----	X	

GREGORY H. WOODS, United States District Judge:

In response to a question raised by Plaintiff at the conference held on October 4, 2023, the Court clarifies that the pagination for itemized pages 22, 43, and 52 in its September 30, 2023 order, Dkt. No. 330, refer to the blue pages at the top of the documents, as paginated by ECF. In its order at Dkt. No. 330, the Court references both “Shaftel Declaration in Support of Landau Motion (Exhibit J, but for redactions to pages 22, 43 and 52)” and the “Chidyllo Declaration (Exhibit 1, but for redactions to pages 22, 43 and 52 . . .).” The listed pages here (22, 43, and 52) refer, in both cases, to the document docketed on ECF at Dkt. No. 166 Ex. 11, which opens as “Exhibit J1” and encompasses the Collaboration and License Agreement by and between Incyte Corporation and Novartis International Pharmaceutical Ltd. By “page 22,” the Court is referencing page 22 of 63 per the blue ECF pagination at the top of the document; this corresponds with native page 17 of the Collaboration and License Agreement. Likewise, page 43 of 63 per the ECF pagination at the top corresponds to native page 38 of the Collaboration and License Agreement; and page 52 of 63 per the ECF pagination corresponds to native page 47 of the Collaboration and License Agreement.

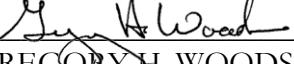
As discussed during today’s conference, the Court will hold a conference on October 5, 2023 at 3:00 p.m. to discuss the objections filed by Plaintiff, at Dkt. No. 303, which relate to an order

entered by Judge Gorenstein during a conference held on December 9, 2022, at Dkt. No. 274. The conference will be conducted by telephone. The parties are directed to the Court's Individual Rules of Practice in Civil Cases, which are available on the Court's website. Rule 2 of the Court's Individual Rules contains the dial-in number for the conference and other relevant instructions. The parties are specifically directed to comply with Rule 2(B) of the Court's Individual Rules.

In addition, the Court failed to note in its October 2, 2023 rulings on Defendant's motions to seal, at Dkt. Nos. 333, 334, and 335, that the Court has not ruled on the Defendant's request to seal the Stops Declaration (Exhibits 1001, 1008, 1027, 1034, 1044, 1045, 1047, 1049, 1051, 1053, 1054, 1056–1058, 1072, 1073, and 1082). The Court will evaluate that request separately.

SO ORDERED.

Dated: October 4, 2023



GREGORY H. WOODS
United States District Judge